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JW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : West
TITLE : Apparatus for Applying Foam Material
to a Substrate
APPLICATION NO. : 10/055,085
FILED : 01/25/2002
CONFIRMATION NO. : 8105
EXAMINER : Robin Octavia Evans
ART UNIT : 3742
LAST OFFICE ACTION : September 9, 2004
ATTORNEY DOCKET NO. : XEEE 2 13215

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

12/14/2004 HLE333 00000035 10055085

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250.00 OP

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed September 9, 2004 finally rejecting claims 1-29. An After Final Response to Examiner's Action was filed November 1, 2004.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☐ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ for a small entity \$ 250.00

EXTENSION OF TERM

☐ Applicant(s) hereby petitions the Commissioner under 37 C.F.R. §1.136(a) for a -month extension of time up to and including in which to file the accompanying Notice of Appeal. The check in the amount of \$ for the

extension fee is enclosed herewith. Applicant(s) request any additional extensions of time that may be necessary and authorize the extension of time fees or any deficiency in fees herewith to be charged to Deposit Account No. 06-0308.

3. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee: \$ 250.00

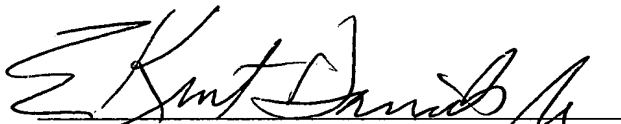
Extension of Time Fee: \$.00

4. **FEE PAYMENT**

Attached is a check in the amount of \$250.00. If any additional extension and/or fees are required, the Commissioner is hereby authorized to charge Deposit Account No. 06-0308.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE LLP



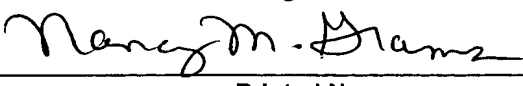
E. Kent Daniels, Jr., Reg. No. 10,598
1100 Superior Avenue, Seventh Floor
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CERTIFICATE OF MAILING

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

- ☒ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
- ☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.
- ☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP AF, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:
Date December 9, 2004

Signature 
Printed Name Nancy M. Grams